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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,155	08/24/2001	Brian A. Hansche	IRI05446	4168

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EXAMINER

ZHONG, CHAD

ART UNIT PAPER NUMBER

2152

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/939,155

Applicant(s)

HANSCH ET AL.

Examiner

Chad Zhong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

FINAL ACTION

1. This action is responsive to communications: Amendment, filed on 08/17/2005.

Claims 1-20 are presented for examination. In amendment, filed on 08/17/2005: ,

Claims 6 and 11 are currently amended.

Claims 7-10, and 12-15 are previously presented:

Claims 1-5, and 16-20 are cancelled.

2. It is noted that although the present application does contain line numbers in specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the Examiner and Applicant all future correspondence should include the recommended line numbering.

3. Applicant is required to update the status (pending, allowed, etc.) of all parent priority applications in the first line of the specification. The status of all citations of US filed applications in the specification should also be updated where appropriate.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 6-15 are rejected under 35 U.S.C. 102(b) as being unpatentable over Rosenberg et al. (hereinafter Rosenberg), "SIP Extensions for Presence", Internet Engineering Task Force, June 2000.

6. As per claim 6, Rosenberg teaches a method for obtaining presence information by a first user through a first network (presence information obtained via subscription messages, pg 14, 5th paragraph), the method comprising the steps of:

transmitting, by the first user to a presence proxy, a subscribe message for presence information of a plurality of second users (pg 19, 5.4 Presence server processing of SUBSCRIBE, 5th paragraph, lines 1-3);

transmitting, by the presence proxy to a plurality of presence agents, a plurality of subscribe messages, each of the plurality of presence agents corresponding to one of the plurality of second users (pg 19, 5.4 Presence server processing of SUBSCRIBE, 5th paragraph, lines 1-3); and

transmitting by the presence proxy a single response message including the presence information of each of the plurality of second users (pg 19, 5.4 Presence server processing of SUBSCRIBE, 5th paragraph, lines 3-5).

7. As per claim 7, Rosenberg teaches the method for obtaining presence information as claimed in claim 6, wherein there is further included the step of transmitting by each of the plurality of presence agents to the presence proxy, the presence information corresponding to at least one of the plurality of second users (pg 19, 5.4 Presence server processing of SUBSCRIBE, 5th paragraph, lines 3-5).

8. As per claim 8, Rosenberg teaches the method for obtaining presence information as claimed in claim 6, wherein there is further included a step of storing by the presence proxy the presence information of each of the plurality of second users (pg 19, 5.4 Presence server processing of SUBSCRIBE, 5th paragraph, lines 3-5, wherein the responses from plurality of user agents are collected, this means there is a temporary buffer on the proxy for storing the responses before they are sent back as a single response message).

9. As per claim 9, Rosenberg teaches the method for obtaining presence information as claimed in

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claim 8, wherein the step of transmitting a single response message includes the steps of:

forming said single response message including the presence information of each of said plurality of second users (pg 19, 5.4 Presence server processing of SUBSCRIBE, 4th paragraph, lines 3-5); and

transmitting the formed single response message to the first user (pg 19, 5.4 Presence server processing of SUBSCRIBE, 3th paragraph, lines 3-5).

10. As per claim 10, claim 10 is rejected for the same reasons as rejection to claim 4 above.

11. As per claim 11, claim 11 is rejected for the same reasons as rejection to combination of claims 1 and 6 above.

12. As per claims 12, claims 12 is rejected for the same reasons as rejection to claim 7, above.

13. As per claim 13, the claim is rejected for the same reasons as rejection to claim 9 above.

14. As per claim 14, Rosenberg teaches the method for obtaining presence information as claimed in claim 11, wherein the step of transmitting by the first user an identity of a list includes the step of indicating by the first user the identity of one of a plurality of lists of second users for which to obtain presence information (pg 19, 5.4 Presence server processing of SUBSCRIBE, 4th paragraph, lines 1-3, list of users are found within the subscribe message as 'Contacts').

15. As per claim 15, claim 15 is rejected for the same reasons as rejection to claim 4 above.

Response to Arguments

16. Applicant's remarks filed 08/17/2005 have been considered but are found not persuasive.

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17. In the remarks, Applicant argued in substance that Rosenberg teaches that a single subscribe request must be sent for learn about the presence of each individual buddy. Further, the requesting entity receives a single notification or response from each individual buddy. However, Rosenberg does not teach or suggest the additional recited limitation of claim 6 “transmitting by the presence proxy a single response message including the presence information of each of plurality of second users”.

In response to Applicant's arguments, Rosenberg teaches the claimed limitations. Specifically, Rosenberg teaches a single subscription message comprising plurality of contacts/agents. The proxy will fork the subscription to the corresponding contacts/agents, the agents will then respond towards the proxy accordingly with their presence information. The presence information of the agents are bundled together and sent as a single stream of response towards the subscriber (pg 19, 5.4 Presence server processing of SUBSCRIBE, 8th paragraph, lines 1-5).

Conclusion

18. **THIS ACTION IS MADE FINAL.** Applicant is reined of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The following patents and publications are cited to further show the state of the art with respect to "PRESENCE WATCHER PROXY".

- i. "SIP Extensions for Presence", Rosenberg et al., Internet Engineering Task Force, December 2000.
- ii. US 6564261 Gudjonsson et al.
- iii. US 2001/0034771 H[0092]tsch et al.
- iv. "Distributed Coordination Models for Client/Server Computing", Richard M. Adler, IEEE 1995.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
August 22, 2005

